

**DETERMINATION AND FINDINGS
FOR A
SOLE SOURCE PROCUREMENT**

CONTRACT NO: DCKA-2017-T-0055

CAPTION: Design and Construction Engineering Support Services for I-695 Ramp Widening and Bike/Pedestrian Improvements at 11th Street, SE.

PROPOSED CONTRACTOR: Johnson, Mirmiran and Thompson (JMT)

PROGRAM AGENCY: District Department of Transportation (DDOT)

AUTHORITY

D.C. Code § 2-354.04, 27 DCMR 1304, 1205.1, 1700 and 1701

FINDINGS

1. MINIMUM NEED:

The Government of the District of Columbia, Department of Transportation (“District”) has an immediate and continuing need for the proposed Contractor to continue to provide design services for the I-695 Ramp Widening and Bike/Pedestrian Improvements at 11th Street, SE. The project improves safety and multi-modal mobility for eastbound I-695 and the exit ramp to 11th Street, SE. The project also adds bicycle and pedestrian facilities along 11th Street, SE from I Street to O Street, shared use path along Virginia Avenue Park and improves safety and accessibility on DC 295 northbound between I-695 and Pennsylvania Avenue. This project is a federal-aid highway project funded in part by the U.S. Department of Transportation, Federal Highway Administration, under Title 23 of the U.S. Code. The proposed period of performance is estimated at 18 months days from Date of Award.

2. ESTIMATED FAIR AND REASONABLE PRICE:

The estimated fair and reasonable price for this project is \$800,000.00.

3. FACTS JUSTIFYING SOLE SOURCE PROCUREMENT:

A. The Contractor completed construction design services as part of the selected design-build team for the 11th Street Bridge project. As the design engineer of the project, the Contractor becomes fully responsible for design of the subject project that will be constructed by the construction contractor.

- B. Two lanes of the eastbound exit ramp from I-695 (Ramp D-4) (part of the 11th Street Bridges Project) were deferred due to CSXT's ongoing construction of the Virginia Avenue Tunnel (VAT) Project. These deferred lanes were to be constructed once the VAT project was completed in 2018. Since the opening of the ramp, traffic patterns have shown an increase in traffic volumes, creating queuing on the ramp, and significant increase in traffic accidents on the ramp and on 11th Street due to ramp D-4 congestion and driver confusion. Additionally, significant community concerns have been raised regarding pedestrian and bicycle safety along the 11th Street corridor. The District is looking to fast track design and construction of these proposed modifications to improve safety and multi-modal mobility. The historical knowledge of the 11th Street Bridges Project, understanding of current safety and traffic conditions, as well as understanding of local community's needs is critical to successful completion of the design of the deferred improvements from the 11th Street Bridges Project .
- C. During the construction phase, the District needs additional assistance from the design engineer including, for example, possible partial redesign because of construction impediments and EOR work in reviewing construction shop drawings, reviewing bid documents, responding to construction Requests for Information and other construction design and engineering-related matters.
- D. As the EOR, the Contractor is the only one capable of modifying its design without shifting associated liability to the District.
- E. For the above-stated reasons, the District did not conduct a market survey.

CERTIFICATION BY CHIEF ENGINEER

I hereby certify that the above findings are correct and complete to the best of my knowledge and belief.

Date

Dawit Muluneh, P.E.
Chief Engineer, DDOT

CERTIFICATION BY AGENCY HEAD

I hereby certify that the above findings are true, correct and complete to the best of my knowledge and belief.

Date

Everett Lott
Acting Director, DDOT

CERTIFICATION BY CONTRACT SPECIALIST

I hereby certify that the above findings are correct and complete to the best of my knowledge and belief.

Date

Jeralyn Johnson
Contract Specialist
Office of Contracting & Procurement (“OCP”)

CERTIFICATION BY CONTRACTING OFFICER AND RECOMMENDATION

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract for the class was published in accordance with Section 404(c) of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Official Code § 2-354.04) and that no response was received. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Date

William E. Sharp, Jr.
Contracting Officer, OCP

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code §§ 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the sole source method of procurement.

Date

George A. Schutter, III
Chief Procurement Officer